

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1851A

1 WHEREAS, Tabitha, Inc. and Tabitha Housing Corporation has submitted
2 an application designated as Special Permit No. 1851A for authority to operate a combined
3 early childhood care facility and adult care center for a maximum of 42 children and 20
4 adults with a maximum of nine employees on property generally located at 48th and J
5 Streets, and legally described to wit:

6 Lots 117, 118 and the south 45 feet of Lot 115, Witherbee
7 Gardens Addition, located in the Northwest Quarter of Section
8 29, Township 10 North, Range 7 East of the 6th P.M., Lincoln,
9 Lancaster County, Nebraska;

10 WHEREAS, the real property adjacent to the area included within the site
11 plan for this combined early childhood care facility and adult care center will not be
12 adversely affected; and

13 WHEREAS, said site plan together with the terms and conditions hereinafter
14 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal
15 Code to promote the public health, safety, and general welfare.

16 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
17 Lincoln, Nebraska:

18 That the application of Tabitha, Inc. and Tabitha Housing Corporation,
19 hereinafter referred to as "Permittee", to operate a combined early childhood care facility
20 and adult care center for a maximum of 42 children and 20 adults with a maximum of nine
21 employees, on the property legally described above, be and the same is hereby granted

1 under the provisions of Section 27.63.070 of the Lincoln Municipal Code upon condition
2 that construction and operation of said care facilities be in strict compliance with said
3 application, the site plan, and the following additional express terms, conditions, and
4 requirements:

5 1. This permit approves:

6 a. An early childhood care facility for a maximum of 42 children,
7 an adult care center for a maximum of 20 adults, and nine
8 employees.

9 b. A waiver to the design standards to allow vehicular access to
10 the site from a local street rather than from an arterial street.

11 2. Before receiving building permits the construction plans must conform
12 to the approved plans.

13 3. Before occupying the early childhood care facility/adult care center all
14 development and construction must be completed in conformance with all applicable state
15 and local requirements and building requirements and the approved plans.

16 4. All privately-owned improvements shall be permanently maintained by
17 the Permittee.

18 5. The site plan approved by this permit shall be the basis for all
19 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
20 elements, and similar matters.

21 6. The terms, conditions, and requirements of this resolution shall be
22 binding and obligatory upon the Permittee, their successors, and assigns. The building
23 official shall report violations to the City Council which may revoke the special permit or
24 take such other action as may be necessary to gain compliance.

1 7. The Permittee shall sign and return the City's letter of acceptance to
2 the City Clerk within 30 days following approval of the special permit, provided, however,
3 said 30-day period may be extended up to six months by administrative amendment. The
4 City Clerk shall file a copy of the resolution approving the special permit and the letter of
5 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
6 Permittee.

7 8. This resolution voids and supersedes Resolution No. A-80274 which
8 approved Special Permit 1851 and all previously approved site plans.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant